REMARKS

Claims 1-3, 6-15, 18-24 and 27-29 are pending in the application.

Claims 1-3, 6-15, 18-24 and 27-29 are rejected.

Reconsideration and allowance of claims 1-3, 6-15, 18-24 and 27-29 is respectfully requested in view of the following:

Response to Rejections of Claims under 35 U.S.C. §103

Claims 1-3, 6-15, 18-24 and 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shin et al (U.S. 6,938,152) in view of Levine et al (U.S. 6,732,159). Applicant traverses this rejection as it does not establish a *prima facie* case of obviousness.

The rejection states on page 3 of the Office Action mailed February 8, 2007 that "Shin et al. does not teach a serial speech synthesizer, *detecting the speech synthesizer*, nor the speech synthesizer coupled to the serial port." Emphasis added. In addition the rejection **fails** to show that Levine discloses "*detecting the speech synthesizer.*" To the contrary, the rejection continues that "Levine et al. teach [sp] a speech-synthesizer connected to a serial port, and *recognizing an administration adaptor*, the administration adapter can be a speech synthesizer, (col. 5, lines 27-35, col. 6, 2-6, and col. 12, lines 17-28)." Emphasis added. Applicant submits that none of the indicated sections of Levine teach "*detecting the speech synthesizer.*" For example, 1) col. 5, lines 27-35 states "the administration adaptor 10 is *recognized* [NOT "detected"] by the BIOS 4 as an *MDA* [video monochrome display adapter] *display adapter* [NOT a "speech synthesizer"]"; 2) col. 6, 2-6 makes NO mention of either "detecting", or "speech synthesizer"; and 3) col. 12, lines 17-28 states "[*h*]*aving* [NOT "detecting"] an administration adapter in the system and directing the screen data out the serial port provides a means for the user to get that data to serial speech-synthesis hardware." Emphasis added.

Furthermore, the only references to the word "detect" found in a quick search of the specification of Levine appear in col. 6, line 55; col. 11, lines 6, 11, 16, 36 and 62; and col. 12, line 15. None of the previous mentioned references to "detect" refer to "detecting the speech synthesizer". Instead, the use of "detect" in Levine refers to subjects as follows: "writes", "a

character", "data written", "attention character", "writes", "failures" and "character", respectively. Again, there is no mention of "detecting the speech synthesizer."

In view of the foregoing, It is apparent that Shin and Levine independently and in combination fail to teach every element of independent claim 1. It is therefore impossible to render the subject matter of the claims as a whole obvious based on a single reference or any combination of the references, and the above explicit terms of the statute cannot be met. As a result, the USPTO's burden of factually supporting a *prima facie* case of obviousness clearly cannot be met with respect to the claims, and a rejection under 35 U.S.C. §103(a) is defective. Thus, independent claim 1, as well as claims 2, 3 and 6-11 dependent therefrom, under 35 U.S.C. §103(a) is not supported and should be withdrawn and the claims allowed.

Claims 12-15, 18-24 and 27-29 include limitations similar to those of claims 1-3 and 6-11; therefore, for at least the same reasons as set forth above with reference to claim 1, the rejection of claims 12-15, 18-24 and 27-29 under 35 U.S.C. §103(a) should be withdrawn and those claims allowed.

As the PTO recognizes in MPEP §2142:

> The Examiner bears the initial burden of factually supporting any *prima facie* conclusion of obviousness. If the examiner does not produce a *prima facie* case, the applicant is under no obligation to submit evidence of nonobviousness.

The USPTO clearly cannot establish a *prima facie* case of obviousness in connection with the amended claims for the following reasons.

35 U.S.C. §103(a) provides that:

> [a] patent may not be obtained ... if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains ... (emphasis added)

Thus, when evaluating a claim for determining obviousness, all limitations of the claim must be evaluated. However, the references, alone, or in combination, do not teach a serial speech synthesizer and a computer system including a basic input output system (BIOS) configured to provide a translation from display information to a data pattern output via a serial port in the system for generating an audible output, wherein in response to detecting the

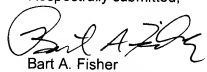
speech synthesizer, the BIOS translates the information to a data pattern, which data pattern is provided to the speech synthesizer, the speech synthesizer coupled to the serial port and configured to reproduce the data pattern with the audible output.

Conclusion

For at least the reasons set forth in detail above, independent claims 1, 12 and 21 are deemed to be in condition for allowance. Claims 2, 3, 6-11, 13-15, 18-20, 22-24 and 27-29 depend from and further limit independent claims 1, 12 and 21, and are therefore also deemed to be in condition for allowance. Accordingly, Applicant respectfully requests that the Examiner withdraw the pending rejections and issue a formal notice of allowance of all pending claims.

The Examiner is invited to call the undersigned at the below-listed telephone number if a telephone conference would expedite or aid the prosecution and examination of this application.

Respectfully submitted,



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I hereby certify that this correspondence is being transmitted to the United States Patent and Trademark Office, via EFS-Web, on the date indicated below:

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